

** Transmit Conf. Report **

P.1

Dec 13 2002 15:09

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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Protecting Texas
by Reducing and
Preventing Pollution

FAX TRANSMITTAL

DATE:

12/13/02

NUMBER OF PAGES (including this cover sheet):

3

TO:

Name

Franklin L. Mills

Organization

American Electric Power

FAX Number

214/777-1380

FROM:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name

Laurie J. Lancaster

Division/Region

Registration, Review & Reporting Division

Telephone Number

512/239-4418

FAX Number

512/239-4430

NOTES:

Dear Mr. Mills:

We have received your response dated December 11, 2002, for Permit No. 02496. After reviewing the response, the following item must be addressed.

1. Item 1 on page 11 of the administrative report 1.1: You stated the tract numbers were the only viable way that an adjacent landowner could identify their property. We are unable to confirm all of the affected landowners have been identified. The landowners map contains several properties with tract numbers that are not identified on the landowners list. There are parcels of land that is owned by the applicant; however, it is listed as an adjacent landowner. Also, you have identified each individual tract that is owned by the applicant as well as each tract owned by the surrounding landowners. Although the landowners list is long, you have indicated most of the property is co-owned. If this is the case, please provide a revised landowners map with the following information:

- clearly delineate all of the applicant's property boundaries as one parcel of land. Do not show the individual tracts.
- clearly delineate the property boundaries of the landowners surrounding the land owned and leased by the applicant
- label the points of discharge for Outfalls 003, 004, and 005)
- highlight the discharge routes Outfalls 003, 004, and 005)
- clearly delineate the property boundaries for each of the landowners whose property is located on both sides of the discharge route for one mile from the point of discharge. Outfalls 003, 004, and 005 provide a revised landowners list with the



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FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name

Laurie J. Lancaster

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 - clearly delineate all of the applicant's property boundaries as one parcel of land. Do not show the individual tracts.
 - clearly delineate the property boundaries of the landowners surrounding the land owned and leased by the applicant
 - label the points of discharge for Outfalls 003, 004, and 005)
 - highlight the discharge routes Outfalls 003, 004, and 005)
 - clearly delineate the property boundaries for each of the landowners whose property is located on both sides of the discharge route for one mile from the point of discharge Outfalls.003, 004, and 005 provide a revised landowners list with the names and complete mailing addresses of the landowners identified on the landowners map. Each landowner's name must be cross referenced in numeric order to their property on the landowners map. Please do not use tract numbers for cross referencing purposes. If the land is co-owned, please indicate this.
 - On the landowners map and list instead of stating tract 5-5, this could be considered landowner 1 since all 38 entities listed co-own this land. Tract 5-6 could be considered landowner 2 since all 9 entities listed co-own this land, tract 5-14 could be considered landowner 3 since all 67 entities co-own this tract of land.

2. Item 1 on page 11 of the administrative report 1.1: You indicated you could not provide the mailing addresses for several of the landowners. Because you have indicated you have made every attempt to collect the complete mailing address, please provide an original signed and notarized landowners affidavit.
3. Below is a portion of the notice of receipt which contains information relevant to your application. Please review the information carefully and indicate if there are any errors. The complete notice will be sent to you once the application is declared administratively complete.

APPLICATION. Southwestern Electric Power Company, 2400 Farm-to-Market Road 3251, Hallsville, Texas 75650, which operates a steam electric power generating facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. 02496 (EPA I.D. No. TX0087726) to authorize the elimination of the monitoring requirement for total dissolved solids via Outfall 002; the elimination of the monitoring requirement of oil and grease via Outfalls 003, 004 and 005; and the reduction of the monitoring frequencies for total suspended solids via Outfalls 003, 004, and 005. The facility is located adjacent to Red Oak Road at a point approximately six miles southeast of the City of Hallsville in Harrison County, Texas. The discharge route via Outfalls 002 and 003 is from the plant site to Brandy Branch Reservoir; thence to Brandy Branch; thence to the Sabine River above Toledo Bend Reservoir. The discharge route via Outfalls 004, 005, and 006 is from the plant site to unnamed tributaries of Hatley Creek; thence to Hatley Creek; thence to Sabine River above Toledo Bend Reservoir. This application was submitted to the TCEQ on September 23, 2002. The permit application is available for viewing and copying at the Marshall Public Library, 300 South Alamo Street, Marshall, Texas.

Please send your response, to my attention, at the address given below by January 6, 2003. If the requested information is not received by the given deadline, pursuant to 30 TAC Chapter 281, the application will be removed from our list of pending applications. If you should have any other questions, please do not hesitate to call me at (512) 239-4418.

Sincerely,



Laurie J. Lancaster
Water Quality Applications Team (MC 161)
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Submitted herewith, as an attachment to the application of _____
_____ for a Texas Water Code
permit is a list of landowners who might reasonably consider themselves to be
affected by the proposed activities described in the application. The list of
landowners is cross-referenced to the application map and includes the following
persons:

- () Persons owning property adjacent to the plant site and to the
watercourse for one (1) mile downstream from the point of
discharge.
- () Persons owning property adjacent to the plant site and for one-
half (1/2) mile either side of the point of discharge to a lake
or reservoir.
- () Persons owning property immediately adjacent to the plant site
and/or that area to which the defined waste will be applied,
deposited, injected or retained.
- () Persons owning property within a 1/2 mile radius of the property
boundaries where sludge disposal is proposed.

I do hereby certify that the names and mailing addresses provided are current and
correct to the best of my knowledge on _____ as
obtained from the records of _____
(Specify: City, County, School, Water District, etc.)

(Typed or Printed Name)

(Signature)

SUBSCRIBED AND SWORN to before me by the said _____
on this _____ day of _____, 19_____.

(SEAL)

Notary Public in and for

County, Texas

Southwestern Electric
Power Company
Austin, Texas
78711-3087



December 11, 2002

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DEC 12 2002

Certified Mail—Return Receipt Requested 7001 0360 0001 3150 1299

Water Quality Applications Team

Texas Natural Resource Conservation Commission

P.O. Box 13087

Austin, TX 78711-3087

Attn: Ms. Laurie J. Lancaster, Water Quality Applications Team

Permits Administrative Review Section (MC 161)

Registration, Review, and Reporting Division

RE: Pirkey Power Plant (Pirkey)
Application for Amendment and Renewal of TPDES Permit No. 02496
Southwestern Electric Power Company (SWEPCO)

Dear Ms. Lancaster:

On behalf of SWEPCO and Pirkey, American Electric Power (AEP) hereby submits a response to comments received from TCEQ with regard to the aforementioned amendment and renewal application. Please be advised that we did not receive your original request to address the items mentioned in your letter of request dated September 27, 2002. We only received the correspondence dated November 18, 2002 and mailed to us by certified mail, return receipt requested. We ask for your consideration with respect to these facts.

I have addressed the items listed in your letter of request in the order that they appear. The following items are the responses I have prepared, and are to be incorporated into the amendment and renewal application originally submitted to TCEQ on September 18, 2002.

For item No.1, I have added clarifying language on page 2 of the administrative report to specify the amendments requested for each particular outfall. I also referenced "Attachment F" of the application. Attachment F includes full descriptions of the amendment requests and also contains the corresponding supporting data from sample analyses performed at the outfalls. I have enclosed a revised page 2 of the administrative report to be incorporated into the application. Please replace the existing page in the application with the enclosed, revised page.

For item No.2, the landowner map has been revised slightly to help depict the applicant boundary (green border) and associated tracts of land (red borders) more clearly. As per your request, Southwestern Electric Power Company owns all of the land within the boundary labeled as "Approximate Applicant Property Boundary". There are no lease agreements for these tracts of land. The mailing list for the adjacent landowners has not changed. The revised landowner map

is enclosed, and should be incorporated into the application to replace the original landowner map.

For item No.3, the topographic map has been revised to include a more legible property boundary for the applicant. As for the discharge routes, there is no discharge route to be traced for Outfall 002 since it discharges directly into Brandy Branch Reservoir. The discharge route for Outfall 005 angles off to the northwest immediately after discharge from the outfall and commingles with the discharge route for Outfall 006 (this is difficult to detect on the map due to the scale of the map and all of the information required to be placed on the map). These discharge routes (which includes the commingled discharge route) have been traced onto the topographic map for a distance of at least three miles for your convenience. The revised topographic maps (two per application) are enclosed, and should be incorporated into the application as part of the Supplemental Permit Information Form (SPIF-after page 10 of the administrative report) and "Attachment A" to replace the original topographic maps.

For item No.4, I have attached a new letter signed by Julio Reyes, Vice President of Southwestern Electric Power Company (SWEPCO) to provide clarification of the fact that the corporate positions of Directors are authorized to sign wastewater applications. Please replace the original signatory letter (after page 8 of the administrative report) with the enclosed, new letter.

For item No.5, the landowners map has been revised (to be incorporated into the application to replace the landowner map in "Attachment B") slightly to more clearly depict the property boundaries of the applicant and the tracts of land. As specified in item No. 2 above, Southwestern Electric Power Company (SWEPCO) owns all of the land within the boundary labeled as "Approximate Applicant Property Boundary". In addition, SWEPCO, at a minimum, owns all land in and immediately surrounding (including the shoreline) Brandy Branch Reservoir (blue border). All of the "adjacent landowners" were accurately identified in the original application, and were provided to you in the form of the preliminary line list and associated mailing list. Those items are accurate as originally submitted, and need no revision. There are several tracts of land that have multiple landowners. All of those tracts are co-owned. There are no tracts of land that need further subdivision or identification. The tract numbers were used for the landowner information because they were the only source available to construct the map and the associated mailing list. We contend the tract numbers are the only viable way that an adjacent landowner can identify their land during the application review process since their land is identified by tract on the original plats, titles, and/or other forms of legal identification (there are no section numbers in this area). As for the discharge routes, there is no discharge route to be traced for Outfall 002 since it discharges directly into Brandy Branch Reservoir. The discharge route for Outfall 005 angles off to the northwest immediately after discharge from the outfall and commingles with the discharge route for Outfall 006 (this is difficult to detect on the map due to the scale of the map and all of the information required to be placed on the map). Those discharge routes (which includes the commingled discharge route) have been traced for a distance of at least one mile onto the landowner map, as required for your convenience. In addition, item No. 1 on page 11 of the administrative specifically states that "if the point of discharge is into a lake, bay estuary or affected by tidal, delineate the approximate property boundaries of the landowners along the water course ½ mile in all directions of the outfall(s)". This is exactly what was submitted in the original application. In addition, the pertinent rule for guidance is 30 TAC section 305.48 "Additional Contents of Applications for Wastewater Discharge Permits" subsection (a)(2) that states "If the application is for the disposal of any waste into or adjacent to a watercourse, the application shall show the ownership of the tracts of land adjacent to the treatment facility and for a reasonable distance along the watercourse from the proposed point of discharge." The phrase "in all directions", or the term "radius" as used in your letter, are not specified in the regulations. Webster's dictionary defines a "watercourse" as "a natural or made

DEC 12 2002

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Tom

channel through which water flows". The watercourse at Pirkey Power Plant therefore includes Brandy Branch Reservoir, but does not include the shore lands and/or other lands that are not contiguous with the reservoir. SWEPCO owns all the land occupied by Brandy Branch Reservoir, including the immediately adjacent shoreline (see boundary on Landowner map). SWEPCO is, therefore, by definition, the only adjacent landowner in all directions *along the watercourse*, irregardless of the distance from Outfall 002.

Also for item No. 5, the additional postage required for the additional landowners on the mailing list has been submitted to the TCEQ Revenues Section (a total of \$50 for the additional full increment of 100 names on the list). A copy of the cover letter and the check are enclosed for your convenience. Please be advised that there were several persons on the mailing list for whom no address is listed. These persons whereabouts are unknown, as described in some cases including personal interviews with members of their families. The "enclosed" landowners affidavit you mention in your letter dated September 27, 2002 was not enclosed in the mailing that was sent me on November 18, 2002. If there is some requirement to complete such an affidavit, I will need copies of the form sent to me for completion. I contend, however, that such affidavits are unnecessary. The landowner information gathered is from the most comprehensive sources available, as specified in the ensuing paragraph. A good faith effort has been made to identify and obtain a mailing address for all the adjacent landowners, a few whose whereabouts are simply unknown. This information has been confirmed in some cases via personnel interviews with the landowners and/or their direct relatives (heirs). Any adjacent landowners who cannot be located will still be "notified" and have the opportunity to review and comment on the application via the public notice that will be placed in the local newspaper once the application is determined to be administratively complete. This process is more than adequate to notify any adjacent landowners, as required by the regulations.

For item No.6, the land agent for Sabine Mining obtained the names and address through a combination of records from the Harrison County Clerk's Office, the Harrison County Central Appraisal District, and through personal interviews and telephone conversations with landowners and/or heirs of landowners. I believe the landowner records submitted are thorough, complete, and as accurate as possible for the landowners identified in the area adjacent to the facility, as required.

For item No.7, I have provided ground level photographs for Outfalls 002, 004, 005, and 006, as requested, and identified what direction the camera was facing. Also included is a plat identifying approximately where the photographs were taken, and arrows on the plat designating the direction the camera was facing when the photographs were taken. Please replace the photographs provided in the original application (after page 11 of the administrative report) with the enclosed photographs and plat.

For item No.8, everything in the paragraph is accurate with the exception of the portion of the first sentence that begins on line 4 of the paragraph. That portion of the sentence needs to be re-written to coincide with the changes I identified for item No.1 of this letter. I suggest the new language on line 4 read as follows: "... (EPA I.D. No. TX0087726) to authorize the elimination of the monitoring requirement for Total Dissolved Solids at Outfall 002; to eliminate Oil & Grease monitoring and reduce the monitoring frequencies for Total Suspended Solids at Outfalls 003, 004, and 005; to reduce monitoring frequencies for Total Suspended Solids and Oil & Grease at Outfall 102; and to reduce the monitoring frequency for Total Suspended Solids at Outfall 302."

That concludes my responses to the items identified by you in your letter dated September 27, 2002 (cover letter dated November 18, 2002).

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Please feel free to contact me at (214) 777-1507 if you have any questions about the application or the responses I have prepared in this letter. Thank you for your attention to these items

Sincerely,

Franklin L. Mills

Franklin L. Mills
Environmental Specialist I
Water & Ecological Resources Services

Enclosures

C: Arne Melson (w/)
Oliver Jefferson (w/o)
Russ Draves (w/o)
Kelly Spencer (w/)
Joel Tomme (w/o)
Mark Griffith (w/o)
Ron Lighthall (w/o)
File: PRK.180.45.20.2002 (w/)

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Water/Wastewater Applications Team

ADMINISTRATIVE REPORT 1.0 - INDUSTRIAL

THE FOLLOWING IS REQUIRED FOR ALL APPLICATIONS, RENEWAL, NEW AND AMENDMENT.

The instructions MUST BE FOLLOWED while completing the application. Failure to do so will result in significant delays in the processing of the application.

Type of application: (check all that apply)

<input type="checkbox"/> New TPDES	<input type="checkbox"/> New TLAP
<input checked="" type="checkbox"/> Major amendment to existing permit	<input type="checkbox"/> Minor modification to permit
<input checked="" type="checkbox"/> Renewal of existing permit	<input type="checkbox"/> Minor amendment to permit
<input type="checkbox"/> Storm water only discharges	

If applying for an amendment/modification to a permit, briefly describe the reason for the proposed amendment.

The facility is proposing to amend the permit to eliminate monitoring for TDS at Outfall 002; to eliminate Oil & Grease monitoring and reduce TSS monitoring frequencies at Outfalls 003, 004, and 005; to reduce monitoring frequencies for TSS and Oil & Grease at Outfall 102; and to reduce the monitoring frequency for TSS at Outfall 302. (See Attachment F for details)

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1. APPLICANT INFORMATION (Instructions, Page 13)

DEC 12 2002

a. Facility owner*: Southwestern Electric Power Company

Water Quality/Applications team

Charter Number (issued by the Texas Secretary of State): 0001211866

Mailing address for use on the permit and permit correspondence:

Street No. 2400 Street name: FM 3251 Street type

P.O. Box City: Hallsville State: TX Zip code: 75650

Telephone number: (903) 935-2101

Tax Identification Number issued by the State Comptroller: 72-0323455

Charter Number (issued by the Texas Secretary of State): 0001211866

* Owner of the facility must apply for the permit

Check one: ☐ The TNRCC has issued this Customer Reference Number to the owner. CN: _____
☐ The owner has not yet received a Customer Reference Number. A completed Core Data Form (TNRCC-10400) listing the owner as a customer and this facility as the regulated entity is attached to this application.

b. Co-Permittee information (complete only if the operator must be a co-permittee)

Facility operator: _____

Mailing address for use on the permit and permit correspondence:

Street No. Street name: Street type

P.O. Box City: State: Zip code:

Telephone number: Date of Birth:

Tax Identification Number issued by the State Comptroller: _____

Charter Number (issued by the Texas Secretary of State): _____

Check one: ☐ The TNRCC has issued this Customer Reference Number to the co-permittee. CN: _____
☐ The co-permittee has not yet received a Customer Reference Number. A completed Core Data Form (TNRCC-10400) listing the co-permittee as a customer and this facility as the regulated entity is attached to this application.



December 4, 2002

Certified Mail – Return Receipt Requested

Texas Commission on Environmental Quality (TCEQ)
P.O. Box 13087
Austin, TX 78711-3087
Attn: Ms. Margaret Hoffman, Executive Director

RE: Signatory Authority for AEP System Environmental Permits, Licenses, and Reports
for Wastewater (TPDES) and Storm Water programs in Texas:
Southwestern Electric Power Company (SWEPCO)
West Texas Utilities Company (WTU)
Central Power & Light Company (CPL)

Dear Ms. Hoffman:

As a Vice President of SWEPCO, WTU, and CPL, I am a responsible corporate officer per 30 TAC Section 305.44 as I perform a policy function for AEP Corporation.

The persons holding the positions identified in this submittal have the necessary responsibility and authority to ensure that accurate applications and reports are prepared for the TCEQ Wastewater and Storm Water programs. The following corporate positions are authorized to sign Wastewater permit applications, Storm Water Notices of Intent (NOI's), and Storm Water Notices of Termination (NOT's) for the AEP system companies listed above:

Fossil and Hydro Regional Directors

The following corporate positions are authorized to sign reports related to Wastewater permits and Storm Water permits held by the AEP companies listed above:

Fossil Operations Director
Plant Managers of facilities of the companies listed above
Plant Operation Supervisors of facilities of the companies listed above
Water and Ecological Resource Services Managers

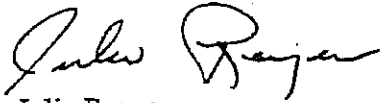
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DEC 12 2002

Water Quality Applications Team

I would appreciate it if you would distribute this letter to the appropriate individuals within your organization. Please contact Russ Draves of AEP at (214) 777-1381 if you have any questions with respect to the contents of this letter.

Sincerely,



Julio Reyes
President, State Government Affairs

Cc: Chuck Adami
Russ Draves
Paul Franklin
Rick Stanaland
TCEQ Water Quality Management Information Systems, Enforcement
File: AEP.180.45.45.2002

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DEC 12 2002
Water Quality Applications Team



December 11, 2002

Certified Mail--Return Receipt Requested 7001 0360 0001 3150 1268

Texas Commission on Environmental Quality
Revenues Section (MC 214)
P. O. Box 13088
Austin, Texas 78711-3088

RE: Southwestern Electric Power Company (SWEPCO)
Pirkey Power Plant (Pirkey)
TPDES Permit No. 02496

On behalf of SWEPCO and Pirkey, American Electric Power (AEP) hereby submits a check in the amount of \$50.00 made payable to TNRCC for additional landowner mailing fees for the amendment and renewal of the subject permit.

The original permit application fee submitted on September 19, 2002 covered the first 100 landowners on the mailing list for the facility. The enclosed \$50.00 is the required amount for an increment of an additional 100 landowners. Please apply this fee towards the costs associated with the amendment and renewal wastewater application for the facility. Any revised sections of the application will be mailed to the TCEQ Applications Team separately.

Please call me at (214) 777-1507 if you have any questions about this letter or the enclosed check.

Sincerely,

A handwritten signature in cursive script that reads 'Franklin L. Mills'.

Franklin L. Mills
Environmental Specialist I
Water & Ecological Resource Services

Enclosure

C: Arne Melson (W/O)
Kelly Spencer (W/O)
Russ Draves (W/O)
File PRK 180.30.10.2002

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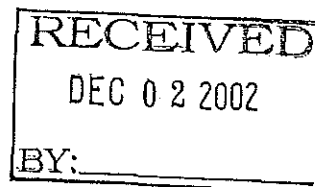
Water Quality Applications Team

Check Date: 11/27/2002

Check No. 3000007796

Invoice Number	Invoice Date	PO Number	Voucher ID	Gross Amount	Adjustments	Paid Amount
PERMITNO02496	11/25/2002		00014825	50.00	0.00	50.00

Pamala J York / Franklin L Mills Dallas, N 6 ENV



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DEC 12 2002

Water Quality Applications Team

Vendor Number	Vendor Name	
0000166110	TEXAS COMMISSION ON ENV QUALITY	
Total Amount	Total Adjustments	Total Paid Amount
\$50.00	\$0.00	\$50.00

Southwestn Elec Pwr Co - Gen
P O Box 24400
Canton, OH 44701
330/438-7102

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND



AEP: America's Energy Partner

SOUTHWESTN ELEC PWR CO - GEN
P O Box 24400
Canton, OH 44701

CITIBANK, N.A.
New Castle, DE 19720
62-20/311

3000007796
Date 11/27/2002

\$50.00
DOLLAR FIVE ZERO FORTY ZERO ZERO

Pay ****FIFTY AND XX / 100 DOLLAR****

To The
Order Of
TEXAS COMMISSION ON ENV QUALITY
P O BOX 13089
AUSTIN, TX 78711-3089

Pay Amount \$50.00***

Michael J Sullivan
Authorized Signature

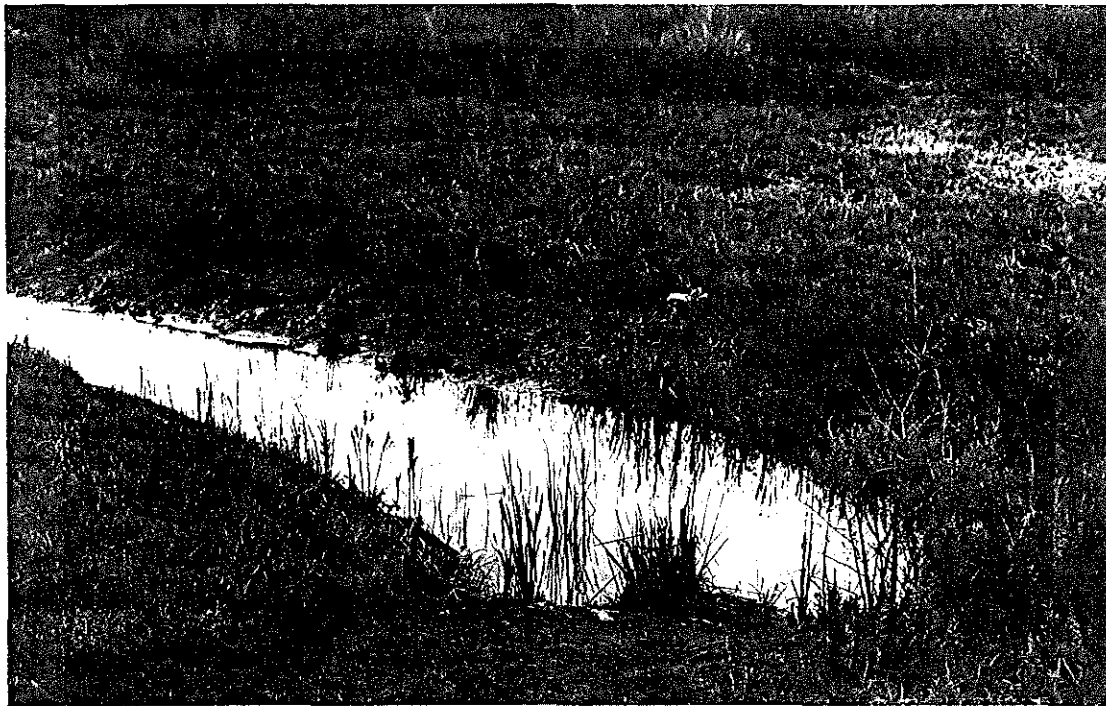
THIS DOCUMENT IS PRINTED ON WATERMARKED PAPER - HOLD TO LIGHT TO VIEW

⑈3000007796⑈ 10311002091 38647694⑈

ORIGINAL GROUND LEVEL PHOTOGRAPHS__



OUTFALL 002 – FACING EAST-SOUTHEAST



OUTFALL 004 – FACING SOUTH

ED

DEC 12 2002

Water Quality Applications Team

ORIGINAL GROUND LEVEL PHOTOGRAPHS



OUTFALL 005 – FACING WEST



OUTFALL 006 – FACING WEST-SOUTHWEST

DEC 12 2002
Water Quality Applications Team

